

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDJUAN C. SCOTT,

Plaintiff,

v.

VALLADALIO,

Defendant.

Case No. 1:20-cv-00705-AWI-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
DENIAL OF PLAINTIFF'S MOTION TO
PROCEED *IN FORMA PAUPERIS*

(ECF Nos. 2, 7, 8)

TWENTY-ONE (21) DAY DEADLINE

Plaintiff Edjuan C. Scott ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on May 20, 2020. (ECF No. 1.)

On May 27, 2020, the assigned Magistrate Judge issued findings and recommendations that Plaintiff's application to proceed *in forma pauperis* be denied and that Plaintiff be required to pay the \$400.00 filing fee in full to proceed with this action. (ECF No. 7.) Those Findings and Recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 2–3.) Also on May 27, 2020, Plaintiff filed a renewed motion to proceed *in forma pauperis*. (ECF No. 8.) On June 4, 2020, Plaintiff timely filed his objections to the findings and recommendations. (ECF No. 9.)

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including Plaintiff's

1 objections, the Court concludes that the Magistrate Judge's findings and recommendations are
2 supported by the record and proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations issued on May 27, 2020, (ECF No. 7), are
5 adopted in full;
- 6 2. In accordance with 28 U.S.C. § 1915(g), Plaintiff's applications to proceed *in*
7 *forma pauperis* (ECF Nos. 2, 8) are denied; and
- 8 3. Within **twenty-one (21) days** following the date of service of this order, Plaintiff
9 shall pay the \$400.00 filing fee in full to proceed with this action. If Plaintiff fails
10 to pay the filing fee within the specified time, this action will be dismissed without
11 further notice.

12 IT IS SO ORDERED.

13 Dated: October 8, 2020

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15 SENIOR DISTRICT JUDGE
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